

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

LEVI DALE LASTER, JR.,

Plaintiff,

v.

RONNIE MIMMICK, et al.,

Defendants.

No. 2:25-cv-1134 CSK P

ORDER AND FINDINGS &  
RECOMMENDATIONS

By order filed September 3, 2025, plaintiff's complaint was dismissed, and thirty days leave to file an amended complaint was granted. Thirty days from that date have now passed, and plaintiff has not filed an amended complaint, or otherwise responded to the court's order.

In recommending this action be dismissed for failure to prosecute, the Court has considered "(1) the public's interest in expeditious resolution of litigation; (2) the court's need to manage its docket; (3) the risk of prejudice to the defendants; (4) the public policy favoring disposition of cases on their merits; and (5) the availability of less drastic alternatives." Ferdik v. Bonzelet, 963 F.2d 1258, 1260-61 (9th Cir. 1992) (citation omitted). Because this case cannot move forward without plaintiff's participation, the Court finds the factors weigh in favor of dismissal.

In accordance with the above, IT IS HEREBY ORDERED that the Clerk of the Court is directed to assign a district judge to this case; and

1 IT IS RECOMMENDED that this action be dismissed without prejudice. See Local Rule  
2 110; Fed. R. Civ. P. 41(b).

3 These findings and recommendations are submitted to the United States District Judge  
4 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days  
5 after being served with these findings and recommendations, plaintiff may file written objections  
6 with the court and serve a copy on all parties. Such a document should be captioned  
7 “Objections to Magistrate Judge’s Findings and Recommendations.” Plaintiff is advised that  
8 failure to file objections within the specified time may waive the right to appeal the District  
9 Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

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11 Dated: October 21, 2025

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13 CHI SOO KIM  
14 UNITED STATES MAGISTRATE JUDGE

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